UNITED STATES DISTRICT COURT

		for the
	Western	District of North Carolina
	United States of America	
	v. ELGIN JEROME HOLLY) Case No: 3:00CR127-01) USM No: 10103-058
Date of Previou	us Judgment: <u>03/30/2001</u>	Lyle Yurko
(Use Date of La	ast Amended Judgment if Applicable)	Defendant's Attorney
	Order Regarding Motion for Senten	ee Reduction Pursuant to 18 U.S.C. § 3582(c)(2)
§ 3582(c)(2) fo subsequently be	or a reduction in the term of imprisonmen	ector of the Bureau of Prisons
IT IS ORDER	ED that the motion is:	
■ DE	NIED. GRANTED and the defendant's put the last judgment issued) of	eviously imposed sentence of imprisonment (as reflected in months is reduced to
I. COURT DE Previous Offen Criminal Histor Previous Guide	ry Category: IV	Amended Offense Level: 29 Criminal History Category: IV
☐ The previou of sentencin	g as a result of a departure or Rule 35 redideline range. The defendant is not eligible for the	s than the guideline range applicable to the defendant at the time duction, and the reduced sentence is comparably less than the e retroactive reduction. His original guideline was dictated by the Therefore, the revised guideline also starts at the mandatory
The defendant note that the an less that 15 kilo kilograms of po base offense lev level of 34, for	nount of cocaine, cocaine base and marij ograms of powdered cocaine. The Offen owdered cocaine and around 450 grams of vel determined in this case. Using these the combined amount of drugs, and a ba	n. The Plea Agreement and the Presentence Report in this case can involved in this case converts to at least 5 kilograms, but see Conduct section of the Presentence Report notes at least 9 f cocaine base. The cocaine powder alone supports the original drug amounts, the revised guidelines would direct a base offense see offense level of 32, for either of the drugs (cocaine or cocaine as unchanged despite the Guidelines amendment.
Except as pro	vided above, all provisions of the jud	gment 03/30/2001 shall remain in effect.
IT IS SO OR	DERED.	
Order Date:	May 21, 2008	Dit FICE (
Effective	(if different from order	Martin Reidinger United States District Judge